



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3615

by Rep. Jerry Costello, II

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-2	from Ch. 46, par. 19-2
10 ILCS 5/19-3	from Ch. 46, par. 19-3

Amends the Election Code. Allows an elector to be added to a list of permanent vote by mail status voters who receive an official vote by mail ballot for all subsequent elections. Provides that voters whose application for permanent vote by mail status is accepted by the election authority shall remain on the permanent vote by mail list until either the voter requests to be removed from permanent vote by mail status or provides notice to the election authority of a change in registration. Provides the application form for a permanent vote by mail ballot.

LRB101 09782 SMS 54883 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 19-2 and 19-3 as follows:

6 (10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

7 Sec. 19-2. Any elector as defined in Section 19-1 may by
8 mail or electronically on the website of the appropriate
9 election authority, not more than 90 nor less than 5 days prior
10 to the date of such election, or by personal delivery not more
11 than 90 nor less than one day prior to the date of such
12 election, make application to the county clerk or to the Board
13 of Election Commissioners for an official ballot for the
14 voter's precinct to be voted at such election, or be added to a
15 list of permanent vote by mail status voters who receive an
16 official vote by mail ballot for all subsequent elections.
17 Voters who make an application for permanent vote by mail
18 ballot status shall follow the procedures specified herein.
19 Voters whose application for permanent vote by mail status is
20 accepted by the election authority shall remain on the
21 permanent vote by mail list until either the voter requests to
22 be removed from permanent vote by mail status or provides
23 notice to the election authority of a change in registration.

1 The URL address at which voters may electronically request a
2 vote by mail ballot shall be fixed no later than 90 calendar
3 days before an election and shall not be changed until after
4 the election. Such a ballot shall be delivered to the elector
5 only upon separate application by the elector for each
6 election.

7 (Source: P.A. 97-81, eff. 7-5-11; 98-115, eff. 7-29-13; 98-691,
8 eff. 7-1-14; 98-1171, eff. 6-1-15.)

9 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

10 Sec. 19-3. The application for vote by mail ballot shall be
11 substantially in the following form:

12 APPLICATION FOR VOTE BY MAIL BALLOT

13 To be voted at the election in the County of and
14 State of Illinois, in the precinct of the (1) *township of
15 (2) *City of or (3) *.... ward in the City of

16 I state that I am a resident of the precinct of the
17 (1) *township of (2) *City of or (3) *.... ward in
18 the city of residing at in such city or town in the
19 county of and State of Illinois; that I have lived at such
20 address for month(s) last past; that I am lawfully
21 entitled to vote in such precinct at the election to be
22 held therein on; and that I wish to vote by vote by mail
23 ballot.

24 I hereby make application for an official ballot or ballots
25 to be voted by me at such election, and I agree that I shall

1 return such ballot or ballots to the official issuing the same
 2 prior to the closing of the polls on the date of the election
 3 or, if returned by mail, postmarked no later than election day,
 4 for counting no later than during the period for counting
 5 provisional ballots, the last day of which is the 14th day
 6 following election day.

7 I understand that this application is made for an official
 8 vote by mail ballot or ballots to be voted by me at the
 9 election specified in this application and that I must submit a
 10 separate application for an official vote by mail ballot or
 11 ballots to be voted by me at any subsequent election.

12 Under penalties as provided by law pursuant to Section
 13 29-10 of the Election Code, the undersigned certifies that the
 14 statements set forth in this application are true and correct.

15

16 *fill in either (1), (2) or (3).

17 Post office address to which ballot is mailed:

18

19 The application for a permanent vote by mail ballot shall
 20 be substantially in the following form:

21 APPLICATION FOR A PERMANENT VOTE BY MAIL BALLOT

22 I am currently a registered voter and wish to apply for
 23 permanent vote by mail status.

24 I state that I am a resident of theprecinct of the (1)
 25 *township of (2) *City ofor (3) *.... ward in the
 26 city of residing at in such city or town in the

1 county of and State of Illinois; that I have lived at such
 2 address for month(s) last past; that I am lawfully
 3 entitled to vote in such precinct at the election to be
 4 held therein on; and that I wish to vote by vote by mail
 5 ballot in all subsequent elections.

6 I hereby make application for an official ballot or ballots
 7 to be voted by me at such election, and I agree that I shall
 8 return such ballot or ballots to the official issuing the same
 9 prior to the closing of the polls on the date of the election
 10 or, if returned by mail, postmarked no later than election day,
 11 for counting no later than during the period for counting
 12 provisional ballots, the last day of which is the 14th day
 13 following election day.

14 Under penalties as provided by law pursuant to Section
 15 29-10 of the Election Code, the undersigned certifies that the
 16 statements set forth in this application are true and correct.

17

18 *fill in either (1), (2) or (3).

19 Post office address to which ballot is mailed:

20

21 However, if application is made for a primary election
 22 ballot, such application shall require the applicant to
 23 designate the name of the political party with which the
 24 applicant is affiliated.

25 If application is made electronically, the applicant shall
 26 mark the box associated with the above described statement

1 included as part of the online application certifying that the
2 statements set forth in this application are true and correct,
3 and a signature is not required.

4 Any person may produce, reproduce, distribute, or return to
5 an election authority the application for vote by mail ballot.
6 If applications are sent to a post office box controlled by any
7 individual or organization that is not an election authority,
8 those applications shall (i) include a valid and current phone
9 number for the individual or organization controlling the post
10 office box and (ii) be turned over to the appropriate election
11 authority within 7 days of receipt or, if received within 2
12 weeks of the election in which an applicant intends to vote,
13 within 2 days of receipt. Failure to turn over the applications
14 in compliance with this paragraph shall constitute a violation
15 of this Code and shall be punishable as a petty offense with a
16 fine of \$100 per application. Removing, tampering with, or
17 otherwise knowingly making the postmark on the application
18 unreadable by the election authority shall establish a
19 rebuttable presumption of a violation of this paragraph. Upon
20 receipt, the appropriate election authority shall accept and
21 promptly process any application for vote by mail ballot
22 submitted in a form substantially similar to that required by
23 this Section, including any substantially similar production
24 or reproduction generated by the applicant.

25 (Source: P.A. 99-522, eff. 6-30-16; 100-623, eff. 7-20-18.)